

## AN ACT

ENTITLED, An Act to make appropriations from the water and environment fund and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of two million six hundred thousand dollars (\$2,600,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the consolidated water facilities construction program established pursuant to § 46A-1-63.1. The Conservancy District may deposit a portion of such funds in an amount not to exceed the sum of six hundred thousand dollars (\$600,000) into the state drinking water revolving fund program subfund for implementation of the state safe drinking water revolving fund program. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 2. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million five hundred thousand dollars (\$1,500,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to the project sponsors to be used for the engineering design, preconstruction activities, and the construction of the facilities included in the Belle Fourche irrigation rehabilitation project as authorized in § 46A-1-13.2. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 103-434 as amended to January 1, 1997. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 3. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of

providing a grant to project sponsors to be used for the engineering design, preconstruction activities, and construction of the facilities included in the Mid-Dakota rural water system as authorized in § 46A-1-13.5. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 4. Notwithstanding the provisions of section 12 of chapter 254 of the 1992 Session Laws, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a loan to the project sponsors to be used for the engineering design and construction of the facilities included in the Mid-Dakota rural water system. The loan shall be paid in full no later than December 31, 1997, and all payments shall be deposited in the state drinking water revolving fund program subfund established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 5. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a loan to the project sponsors to be used for the engineering design, preconstruction activities, and construction of the facilities included in the Mni Wiconi rural water system as authorized in § 46A-1-13.4. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 100-516 as amended to January 1, 1997. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 6. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of five hundred fifty thousand dollars (\$550,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the

purpose of providing a grant to the local project sponsors to be used for the engineering design, congressional authorization, preconstruction activities, and construction of a Perkins County rural water system as authorized in § 46A-1-94. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources. The board may defer the local sponsor's contributions to the nonfederal share of expenditures for the project until construction of project facilities in South Dakota is commenced.

Section 7. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of two hundred ten thousand dollars (\$210,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to local project sponsors for the Black Hills hydrology and water management study as authorized in § 46A-1-13.8. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 8. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to the local project sponsors to be used for implementation of stage one clean-out activity and other activities of the James River restoration project as authorized in § 46A-1-13.9. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 9. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of eighty-seven thousand five hundred dollars (\$87,500), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to local project sponsors for the Bad River watershed project as authorized in § 46A-1-13.1. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements under the § 319 grant program of the federal

Clean Water Act as amended to January 1, 1997. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 10. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to the local project sponsors to be used for the engineering design, congressional authorization, preconstruction activities, and construction of the Lewis and Clark rural water system as authorized in § 46A-1-13.10. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 11. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million three hundred forty-five thousand dollars (\$1,345,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the solid waste management program established pursuant to § 46A-1-83. From this amount, two hundred fifty thousand dollars (\$250,000) shall be used to satisfy the provisions of section 1 of chapter 219 of the 1996 Session Laws for fiscal year 1998, and two hundred fifty thousand dollars (\$250,000) shall be used to satisfy the provisions of section 3 of chapter 219 of the 1996 Session Laws for fiscal year 1998. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources. The board may use up to forty-five thousand dollars (\$45,000) of the funds appropriated by this section to contract for services to process and review loan applications as authorized under chapter 46A-1.

Section 12. That section 9 of chapter 265 of the 1996 Session Laws be amended to read as follows:

Section 9. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million three hundred forty-five

thousand dollars (\$1,345,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the solid waste management program established pursuant to § 46A-1-83. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 13. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval

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I certify that the attached Act  
originated in the  
SENATE as Bill No. 41

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 41  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,  
19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State